

**MINUTES**

**MONTANA SENATE  
56th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** By **CHAIRMAN ARNIE MOHL**, on February 11, 1999 at  
3:08 A.M., in Room 410 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Arnie Mohl, Chairman (R)  
Sen. Ric Holden, Vice Chairman (R)  
Sen. Mack Cole (R)  
Sen. Bob DePratu (R)  
Sen. John Hertel (R)  
Sen. Reiny Jabs (R)  
Sen. Greg Jergeson (D)  
Sen. Glenn Roush (D)  
Sen. Debbie Shea (D)  
Sen. Spook Stang (D)  
Sen. Daryl Toews (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Connie Erickson, Legislative Branch  
Phoebe Olson, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 397 SB 354 SJ 8, 2/19/1999  
Executive Action: SB 354 SB 374 SB 346 SB 333 SB  
330 SB 149 SB 266 SB 267 SB  
268 SB 160 SB 161 SB 139  
SB 137 SB 138 SB 397

**HEARING ON SB 397**

**Sponsor:**

**SENATOR BARRY "SPOOK" STANG, SD 36, ST Regis**

**Proponents:**

**Mike Kadas, Mayor, City of Missoula**

**Pat Saindon, MT Department of Transportation**

**Opening Statement by Sponsor:**

**SENATOR BARRY "SPOOK" STANG, SD 36, ST Regis,** said the bill would allow the transportation commission to authorize the use of federal secondary highway and urban highway funds for the federal surface transportation program. He said the guts of the bill were in line 21 section 3. He said this would give more flexibility to local governments and their long range planning. He reserved the right to close.

**Proponents' Testimony:**

**Mike Kadas, Mayor City of Missoula,** referred to the section of Federal Law that would apply to this. **EXHIBIT(his34a01)**. He said this would give cities and counties some additional flexibility regarding the use of those funds.

**Pat Saindon, MT Department of Transportation,** said the bill was primarily for the urban areas and counties. It would allow them to spend the money that the Department suballocates to them. She said the programs were currently funded with federal aid funds, and when used for road purposes were matched with state dollars. She said if the money was transferred to other enhancement activities, the local governments would have to come up with a 13% match. She said this made good sense for local governments to have as much flexibility as possible and would allow them to address their entire transportation needs. She pointed out that the flexibility would be entirely permissive. She noted that on a national level they argued strongly for flexibility and she thought it was appropriate that the urban areas and counties be given that same flexibility. She recommended support of the bill.

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:**

**SENATOR ARNIE MOHL,** said he thought this could already be done and wondered why this bill was needed.

**Pat Saindon**, said that the state had more flexibility but that had not been passed on to local governments back in 93 when the urban and secondary bill was passed.

**SENATOR MOHL**, asked if the city had a project, if they could come to the Department and get the federal matching money.

**Pat Saindon**, said as an example if they wanted to build bus shelters they could put into their program projects and request federal reimbursement. She said they would still have the 87/13 match that they would have to match with local cash dollars.

**Closing by Sponsor:**

**SENATOR STANG**, said he believed they could see a need for this bill. He said the flexibility down to local governments. He thanked the committee.

**HEARING ON SJR 8**

**Sponsor:** SENATOR GREG JERGESON, SD 46, Chinook

**Proponents:**

**Brian Cavey, MT Motor Carriers Association**  
**Tammi Jo Ruether Affor, MT Contractors Association**

**Opponents:** None

**Opening Statement by Sponsor:** **SENATOR GREG JERGESON, SD 46, Chinook**, said he was pleased to join in sponsorship of this resolution. He said he had noticed in the information sent out by the Department last fall that there was a provision in TEA-21 for economic trade corridors. He thought it was a worth a try to have some trade corridors designated under that provision of interational law, and that was the purpose of this resolution. He suggested some corridors, he thought they might consider. He thought this could help some communities get some well deserved attention.

**Proponents' Testimony:**

**Brian Cavey, MT Motor Carriers Association**, stated they strongly supported the resolution and believed it was a strong statement of support for activities that could benefit this corridor and those business communities.

**Tammi Jo Ruether Affor**, submitted written testimony from **Mike Foster**. **EXHIBIT**(his34a02)

**Opponents:** None

**Questions from Committee Members and Responses:**

**SENATOR RIC HOLDEN**, asked the sponsor where the language for the bill came from.

**SENATOR JERGESON**, said Bob Person in the Legislative Services Division developed the language from federal statute.

**SENATOR HOLDEN**, keyed in on page 1 line 12, talking about those programs. He wondered what the programs were.

**SENATOR JERGESON**, said the programs were related to in line 10. The National Corridor Planing and Development Program and The Coordinated Border Infrastructure Program.

**SENATOR HOLDEN**, referenced page 1, line 14, 15, and 16. He said the Federal Government had ideas for private property that sound good at first, but aren't always great when you get into them. He said without some sort of background information he would be hesitant to vote for the bill.

**SENATOR JERGESON**, said he did not have anything, but said that this could be a tremendous engine for economic growth and that was what they were talking about.

**SENATOR MACK COLE**, asked Dave Galt if these corridors were just in Montana or if they were extensions into other corridors.

**Dave Galt**, said it was his understanding that the corridors were established across the county and Montana had two of those.

**SENATOR COLE**, said really the corridor between Great Falls and Billings was part of the National Corridor.

**Dave Galt**, said that was correct.

**SENATOR STANG**, said on line 14 it said "the purpose of the planning is in part to provide allocations to states for coordinated plan and design and construction of corridors". He wondered what kind of money was available to do this study in the state.

**Pat Saindon**, said she believed the money talked about in this resolution was from one of two programs, one for border crossings

and one for trade corridors. She said there was approximately 140 million dollars through the life of T-21. She said there were currently 43 named trade corridors in the country. She said in order to participate in the program you had to have a coordinated corridor development plan. The qualifications to participate in the program were you had to be able to identify to what extent commercial traffic had increased along the existing corridor since NAFTA, etc.

**SENATOR STANG**, asked what effect this would have on getting more money to identify some of the other corridors, or if they had all been established.

**Pat Saindon**, said she believed it would be difficult to identify any other routes in the state because of the current truck volume.

**SENATOR STANG**, asked if there were any brochures available that would answer **SENATOR HOLDEN'S** questions.

**Pat Saindon**, replied she did not believe there would be any restrictions that would be placed on these corridors as a result of them being named. She said she did have extensive information about the program that she could make available to the committee.

**SENATOR STANG**, said he would appreciate that information.

**SENATOR HOLDEN**, wondered why the Department did not testify for the bill if they thought there would be increased funding.

**Pat Saindon**, said this bill would not make any difference to the corridors they were applying for.

**SENATOR HOLDEN**, redirected the question to Jim Currie.

**Jim Currie**, said he did not think the bill had an impact on the Department.

**SENATOR MOHL**, asked if there was a different standard for design and build on a corridor project than on a normal project.

**Jim Currie**, said not to his knowledge.

**Closing by Sponsor:**

**SENATOR JERGESON**, said he would make copies of a Federal Statute that could maybe answer some questions. He was a bit startled that the resolution would not make a difference to the Department. He hoped they would make the effort to get some

additional corridors. He thought Montana should compete as vigorously as possible for these opportunities. He thanked the committee.

**HEARING ON SB 354**

**SENATOR HOLDEN**, took over the chair.

**Sponsor:** **SENATOR ARNIE MOHL, SD 39, Kalispell**

**Proponents:**

**Steve Turkiewitz**

**Opponents:**

**Allen Thiesson, School Bus Contractor**

**Colonel Craig Reap, MT Highway Patrol**

**Dan Stonington, Office of Public Instruction**

**Troy McGee, Helena Chief of Police**

**Bob Anderson, MT Sherif and Peace Officers Association**

**Opening Statement by Sponsor:**

**SENATOR ARNIE MOHL, SD 39, Kalispell**, said he thought this bill would save some money to buy a new machine to help the Department. He said that there was a problem in Whitefish of people getting ticketed for only having one license plate. He also said that some cars don't have means to put license plate on the front. He said the school buses had written him a letter and pointed out the problem of not being able to identify cars that don't stop if they don't have a front license plate. He said they could take immediate action and table the bill and it would not hurt his feelings.

**Proponents' Testimony:**

**Steve Turkiewicz**, said he urged support of the bill, or to take whatever action the sponsor would request.

**Opponents' Testimony:**

**Allen Thiesson, School Bus Contractor**, said for the reasons that Senator Mohl had stated he would oppose the bill.

**Colonel Craig Reap**, said they, too, were concerned about the school buses. He also said that in the last two years two murder

case suspects had been found by the Highway Patrol using the front plate. He opposed the bill.

**Dan Stonington, Office of Public Instruction,** said for child safety they opposed the bill.

**Troy McGee, Helena Chief of Police,** said for reasons already stated they opposed the bill.

**Bob Anderson, MT Sherif and Peace Officers Association,** opposed the bill for reasons already stated.

**Informational Testimony:**

**Dave Galt,** pointed out that 90% of vehicle combinations on the road were truck-semitrailer. One plate on the back of those would be impossible to see.

**Questions from Committee Members and Responses:**

**SENATOR STANG,** said he was concerned about what had happened in Whitefish because he had been driving with one plate for about 45 days. He said they had not given him a sticker or anything to identify that he had applied for the plate. He wondered how he got out of getting the fine, or what the appropriate way to take care of this was.

**Col. Reap,** said that if he told the officers he had applied for a new plate in most cases that would take care of it. He said that in 1998 the Highway Patrol wrote 198 tickets for no front license plates, but 6,065 warning were issued. He said he had never written someone a citation for the violation the first time he had seen the plate missing.

**SENATOR STANG,** said he had no record to show he had applied for the plate.

***{Tape : 1; Side : B; Approx. Time Counter : 431}***

**Troy McGee,** said they wrote very few citations for missing a front plate.

**SENATOR STANG,** asked if there was a statute in law that required a warning be given before a citation was written.

**Troy McGee,** said to his knowledge there was no such statute.

**SENATOR BOB DEPRATU**, said there was harsher enforcement in Whitefish and he was unsure why they did that. He said few states required front license plates anymore. He said when a new vehicle was ordered for Montana they had to specify a front license plate bracket as an option. He said for some models it took three weeks to get that bracket, so if his customers got a ticket they paid for it but that it was an awkward situation. He said it would be a good idea to put it in statute that a sixty day warning would be more appropriate.

**SENATOR JERGSON**, asked if there were some products that his members sold that were not engineered to have a front license plate.

**Steve Turkiewicz**, said in many cases the cars were engineered without a front license plate bracket.

**Closing by Sponsor:**

**SENATOR MOHL**, said he would have pushed the bill a lot harder if it had not been for the school buses. He did not want to see anything hurt the kids.

**EXECUTIVE ACTION ON SB 354**

**Motion/Vote:** **SENATOR STANG** motioned that **SB 354 BE TABLED** carried 11-0.

**SENATOR MOHL**, resumed the chair.

**EXECUTIVE ACTION ON SB 374**

**Motion:** **SEN. SHEA** moved that **SB 374 DO PASS**.

**Motion:** **SEN. SHEA** moved that **AMENDMENT SB037401.alk DO PASS**.

**SENATOR DARYL TOWES**, said 25 miles in a rural district was arbitrary.

**SENATOR STANG**, said the bill should be passed without the amendment. He believed the amendment was superficial.

**SENATOR DEPRATU**, said in his county there were areas where the haulers could be in trouble between the two 25 mile radius'. He thought the amendment was appropriate.

**Vote:** Motion **failed 1-10 with Holden voting aye**.



**SENATOR HOLDEN**, reviewed some legislative history on weight tolerance. He did not believe that anyone should be singled out, and if it was going to be raised it should be raised across the board to 10%. He said this was a disjointed piece of legislation, And to keep public policy clear the bill should be voted down.

**SENATOR SHEA**, asked **SENATOR HOLDEN** if he was for the Sugar Beet People getting an exemption.

**SENATOR HOLDEN**, said yes.

**SENATOR SHEA**, said then he was working for his people. She thought that this was helping people who needed it and did not think it was a big deal to make this kind of exception.

**SENATOR HERTEL**, said he worried about what would come next session.

**SENATOR JERGESON**, said he had mixed feelings about the bill. He could appreciate that they had a problem, but he believed it was splitting hairs.

**SENATOR JABS**, asked if this included the trucks that picked up the dumpsters out in the country.

**SENATOR MOHL**, said he assumed it did.

**Vote:** Motion failed 4-7 with Jergeson, Roush, Shea and Stang voting aye.

**Motion/Vote:** SEN. HOLDEN moved that SB 374 BE TABLED. Motion carried 7-4 with Jergeson, Roush, Shea, and Stang voting no.

#### **EXECUTIVE ACTION ON SB 346**

**Motion:** SEN. STANG moved that SB 346 DO PASS.

**SENATOR TOWES**, asked if there wasn't already rules that the pumps had to be marked.

**SENATOR MOHL**, said the problem was there was only a little sticker that said "no tax included".

**Vote:** Motion carried 10-1 with Toews voting no.

#### **EXECUTIVE ACTION ON SB 333**

**Motion:** SEN. HERTEL moved that SB 333 DO PASS.

SENATOR JERGESON, said he thought the bill was O.K. He thought it would be interesting to observe.

SENATOR STANG, said the bill was probably O.K., but he was curious why when MACO had their resolution there were one or two counties that voted against it and no one could tell him who they were.

Jim Currie, said they had checked the records and there had been no dissenting votes.

SENATOR MOHL, said he would vote for the bill, but commented on the Fiscal Note.

SENATOR JABS, said he was for the bill, but he was concerned about the snow plows.

**Vote:** Motion carried unanimously.

*{Tape : 1; Side : B; Approx. Time Counter : 416; Comments : stopped tape for a couple minutes}*

**EXECUTIVE ACTION ON SB 330**

**Motion:** SEN. HOLDEN moved that SB 330 DO PASS.

**Motion:** SEN. HOLDEN moved that AMENDMENT SB033001.alk DO PASS.

SENATOR MOHL, explained that if this bill were against the Federal Government's policy, then they wanted it in writing to the state.

SENATOR COLE, asked what happened if they did not put it in writing.

SENATOR MOHL, said then they could not withdraw their money.

SENATOR STANG, said federal laws supercedes our laws and if they did not want to write they did not have to.

SENATOR MOHL, said that it then would be up to the director to request it in writing, from the Federal Government.

**Vote:** Motion carried unanimously.

**Motion:** SEN. DEPRATU moved that **AMENDMENT SB033002.alk DO PASS.**

**Connie Erickson**, explained the amendment.

**SENATOR MOHL**, said the only problem he had was the lack of identifying public money.

**Connie Erickson**, said under the title they could not expand it to cities and counties.

**SENATOR MOHL**, said they would just leave it at State and Federal funded monies.

**SENATOR COLE**, said it was his understanding that this would expand to make it more universal.

**Connie Erickson**, said that couldn't be done under this title.

**SENATOR COLE**, asked if a highway contractor had to buy American.

**Connie Erickson**, said that this only applied to foreign contractors. She said there was nothing in the bill to prohibit a Montana contractor from going to Canada to buy materials.

**SENATOR MOHL**, said that did not need to be in the bill because it was already in the contracts.

**SENATOR JERGESON**, asked if a resident contractor could hire a non-resident alien to work on a highway project.

**SENATOR DEPRATU**, said if they had a work visa from Canada or a Green card from Mexico, they were eligible to work in any type of employment.

**SENATOR STANG**, asked if there was anything in the bill that forbade subcontracting without of country contractors.

**SENATOR MOHL**, said the way he understood it was no one could come down here and work unless our subcontractors could go up there and work on the same basis.

**SENATOR HERTEL**, wondered why the wording "and construction projects" in the amendment.

**Connie Erickson**, said she thought that would mean it would apply to any other projects that the Department might be building that was not a highway.

**{Tape : 2; Side : A; Approx. Time Counter : 431; Comments :  
Switch to tape 2}**

**SENATOR MOHL**, said they wanted to make it so if it was state funded the Federal Government could not say they could not use the money.

**Vote:** Motion **carried unanimously.**

**Motion:** **SEN. HOLDEN** moved that **SB 330 DO PASS AS AMENDED.**

**SENATOR STANG**, said as good as the bill sounded, he thought they might be playing with dynamite. He was worried about losing the Federal money. He thought that things like this with foreign countries were better negotiated through a process similar to the agreements entered into with the tribes, on a nation to nation basis.

**SENATOR HOLDEN**, said that brought up a good point, in the fact that the State of Montana does in fact negotiate with outside nations if you were to consider Indian reservations, other nations. He believed this bill said they would not take away work from the people. He suspected they would be fully behind not having their jobs taken away by out-of-state or out-of-country corporations. He wanted to know what the Governor had to say since the last meeting.

**SENATOR MOHL**, said he had spoken with the Governor that day, and the Governor had quite different feelings toward the legislation now, especially after hearing about what **SENATOR BAUCUS** had said. He reiterated this bill was not designed to hurt anyone. The two words he stressed were reciprocal and fair.

**SENATOR STANG**, said he didn't care what the Governor had told **SENATOR MOHL** in person, he was publically on record against this and unless he publically retracts his statement, then he would take him for what he had said. He believed that the Governor needed to state it publicly that he was no longer in opposition to this bill.

**SENATOR HOLDEN**, said he would like to respond to that and told **SENATOR STANG**, that he knew very good and well that legislation in this process is a moving piece of work and from day to day, hour to hour, negotiations take place and legislation changes. He asserted that the Governor did not have time to make a public statement each and every hour of the day on each and every piece of legislation that goes through the various committees. He claimed that the chairman of this committee had met with the

Governor and reported back to the committee what the Governor had told him.

**SENATOR STANG**, said there were Governor's representatives in the room and he wanted to hear from one of them.

**Jim Currie**, said they had not heard anything from the Governor's office and could not comment of what their position was.

**SENATOR STANG**, said all he would say then was if the Governor had retracted his opposition to this bill, before it reached the Senate Floor, he thought there should be a letter to every member of the committee stating that.

**SENATOR MOHL**, explained exactly what had gone on in the meeting with the Governor. He stated that the Governor had not stated whether or not he would oppose or support the bill, he commented that the Governor had the authority to veto it if he did not like it.

**SENATOR JERGESON**, said one of the main business principals that he thought free enterprise in this country thrived on was the law of supply and demand. He said it was obvious that the demand for highway construction was going up but the supply of available highway contractors was probably not increasing as much as the dollars that were available. He expected that within the next two years the cost of highway construction would go up by as much as 20%. He said free enterprise should thrive on competition.

**SENATOR COLE**, asked if buy America was only for steel.

**SENATOR MOHL**, said there was a difference between America and American. America was only for steel. He stated that there was an average of 6 to 10 contractors bidding on every contract. He believed there was plenty of competition.

**Vote:** Motion carried 9-2 with Jergeson and Stang voting nay.

*{Tape : 2; Side : A; Approx. Time Counter : 448; Comments : discussed taking action on SB 137, 138, and 139. Passed on action for now.}*

#### EXECUTIVE ACTION ON SB 149

**Motion/Vote:** SEN. DEPRATU moved that SB 149 BE TABLED. Motion carried unanimously.

*{Tape : 2; Side : A; Approx. Time Counter : 450; Comments :  
stopped tape for a minute.}*

**EXECUTIVE ACTION ON SB 266**

**Motion:** SEN. SHEA moved that SB 266 DO PASS.

**Motion:** SEN. JERGESON moved that AMENDMENT SB026601.ace DO PASS.

**Connie Erickson**, explained the amendment.

**Vote:** Motion carried unanimously.

**Motion:** SEN. HOLDEN moved that AMENDMENT SB026602.ace DO PASS.

**Connie Erickson**, explained the amendment.

**SENATOR DEPRATU**, said he thought there was some discussion that the Department of Justice would absorb the cost so the one did not have to go to the election.

**Connie Erickson**, said that was for the Legion of Valor plates and that was not included in this amendment.

**Roger Higgin, Enlisted Officers Association**, said this amendment would put the National Guard license plate into SB 266 with the same intent of SB 137. He said this was not a new program, just another category within that same program. He said he was still concerned about the cost of the voter registration pamphlet being charged back to the Veteran's Cemetery Fund. If that was the case, they would pull out of the bill.

**SENATOR JABS**, said they had discussed this in Agriculture and he thought the cost of the referendum would be bore by the Federal Fund.

**Connie Erickson**, said if you read the fiscal notes it stated that the Secretary of State would bill the agency for the cost of the election. She said she had spoken with Greg Petesch, and he said there was no statutory authority for the Secretary of State to bill any agency for the cost of the election. She said the elections would have to be paid for by an appropriation out of the General Fund.

**SENATOR JERGESON**, said that was the way he had understood it. He thought it was good because then they would be able to identify how much each ballot issue would cost the tax payer.

**SENATOR STANG**, said he didn't believe the Secretary of State had the money to pay for the election. He said there would have to be money appropriated and the amendment could say that the General Fund would charge each agency for the cost. He believed there was a valid concern.

**SENATOR JABS**, said there were dozens of bills in Agriculture with fees attached. He said those people should be informed, too, in case they want to back out if they would be charged for the cost of the election.

**SENATOR JERGESON**, said he recognized the concern, but wondered if the generic bill passed who would be charged for the cost of CI-75 elections.

**Connie Erickson**, said **SENATOR GLASER** had a bill introduced to address the issues surrounding CI-75, especially the elections, because there was concern about the size of the voter information pamphlet and so on. She said she was unsure if it addressed cost issues. She said that would be a good vehicle for adding some of the suggestions previously talked about.

**SENATOR COLE**, said Connie was talking about SB 228, which had been in State Administration for two weeks, and they had planned to take executive action on it soon.

**SENATOR MOHL**, said everyone had a part in HB 2 in the end. He said he didn't think anyone would let their constituents hand out there, and somehow it would be addressed at the end.

**Vote:** Motion **carried unanimously.**

**Motion:** **SEN. COLE** moved that **SB 266 DO PASS AS AMENDED.**

**Connie Erickson**, addressed the Legion of Valor issue.

**SENATOR FRANKLIN**, said that because the Legion of Valor was a particularly special thing, she thought it was a good case to stand alone.

**Vote:** Motion **carried unanimously.**

**EXECUTIVE ACTION ON SB 267 and SB 268**

**Connie Erickson**, explained the purpose of the bills.

**Motion/Vote:** SEN. STANG moved that SB 267 DO PASS. Motion carried unanimously.

**Motion/Vote:** SEN. STANG moved that SB 268 DO PASS. Motion carried unanimously.

**EXECUTIVE ACTION ON SB 160 AND 161**

**Motion/Vote:** SEN. JERGESON moved that SB 160 BE TABLED. Motion carried unanimously.

**Motion/Vote:** SEN. JERGESON moved that SB 161 BE TABLED. Motion carried unanimously.

*{Tape : 2; Side : B; Approx. Time Counter : 0; Comments : turn tape over}*

**EXECUTIVE ACTION ON SB 139**

**Motion:** SEN. STANG moved that SB 139 DO PASS.

**Connie Erickson**, explained why the bill should be passed.

**SENATOR JABS**, asked why all the bill were going to the electorate when they had been combined into one bill.

**SENATOR JERGESON**, explained there were separate elections because of the different fees on the plates.

**Connie Erickson**, said that as long as there were separate fees it had to be submitted to the electorate separately.

**SENATOR DEPRATU**, asked if maybe they could explore changing the cost of the plate to match the others.

**SENATOR STANG**, said the veterans plate was already out there, the ten dollar fee was just a new fee charged on that to go to the veterans cemetery.

**Vote:** Motion carried 8-3 with DePratu, Jabs, and Mohl voting no.

**EXECUTIVE ACTION ON SB 137**

**Connie Erickson**, explained how to amend the bill.



Motion: SEN. STANG moved that SB 137 DO PASS.

Motion/Vote: SEN. STANG moved that SB 137 BE AMENDED. Motion carried unanimously.

Motion/Vote: SEN. STANG moved that SB 137 DO PASS AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON SB 138

Motion/Vote: SEN. STANG moved that SB 138 BE TABLED. Motion carried unanimously.

EXECUTIVE ACTION ON SB 397

Motion/Vote: SEN. STANG moved that SB 397 DO PASS. Motion carried unanimously.

ADJOURNMENT

Adjournment: 5:27 A.M.

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SEN. ARNIE MOHL, Chairman

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PHOEBE OLSON, Secretary

AM/PO

**EXHIBIT** (his34aad)